

In re the Application of

Inventors:

Mitsuru UESUGI, et al.

Art Unit: 2631

Application No.:

10/069,009

Filed:

February 20, 2002

For:

ADAPTIVE MODULATION COMMUNICATION SYSTEM CEIVED

INFORMATION DISCLOSURE STATEMENT

MAY 0 5 2004

Assistant Commissioner of Patents Washington, DC 20231

Technology Center 2600

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. All of these references were cited in a Japanese Office Action dated February 10, 2004 (English translation attached).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: May 4, 2004

James E. Ledbetter

Registration No. 28,732

JEL/spp

ATTORNEY DOCKET NO. <u>L9289.02118</u>
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L STREET, NW, Suite 850
WASHINGTON, DC 20043-4387

Telephone: (202) 785-0100 Facsimile: (202) 408-5200

FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office									ATTY. DOCKET NO.			SERIAL NO.			
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EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449 [6-4])